



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, September 18, 2012 at 9:00 A.M.

The Clay County Board of Supervisors met September 18, 2012 as per public notice given in the Clay County News on September 12, 2012 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel; absent: Shaw. Minutes of the meeting held September 11, 2012 were mailed to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Ivan Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Schmidt and seconded by Johnson to approve the minutes of the meeting held September 11, 2012 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Nuss and Fintel; absent: Shaw. Motion carried.

There were six landowners with concerns of water draining from ditches and farm ground. There were three locations that were addressed: intersections of Road 316 & Road R, Road S & Road 321 and Hwy 14 & Road 321. There are two township roads and a state highway involved which are out of the county's jurisdiction. The highway superintendent will meet with the group at the locations and report back to the board.

Thomas Roemmich II, Highway Superintendent presented the Bridge Inspection Agreement as submitted by Daniel J. Theis. Mr. Theis is currently doing the bridge inspections for the county per a two year agreement that has expired. The new agreement is for the same rates for the next two years.

Motion by Anderson and seconded by Samuelson to authorize the chairman to sign the agreement with Daniel J. Theis, owner of Theis Inspection Services LLC for the routine bridge inspection of Clay County's in service bridges for 2012 and 2013 inspection years. On roll call, yea: Anderson, Schmidt, Johnson, Nuss, Samuelson and Fintel; absent: Shaw. Motion carried.

Ronnie Sanchez, Fish & Wildlife Service met with the board to discuss items requested by the board. The board requested items were: 1. Study, data or reports used to establish the "Need" for additional acquisition authority of the specified number of acres in the LPP; 2. Study or data examining the net negative economic affect of the LPP to our local communities; 3. Study or data examining the negative effect on citizens of our county due to the loss of property taxes as proposed in the LLP; 4. Relevant data (targeting map and supporting data) used to target suitable property. (i.e. maps, or supporting studies or other information); 5. Shaw conservation easement status. Mr. Sanchez told the board that the first three items are addressed in the Land Protection Plan. The study may not address the same impacts as the board is requesting. Those studies are costly in both time and money. As for #4, the maps, he thought that they had already been provided at earlier meetings. #5's status would be considered as complete since the easement has been filed. Mr. Sanchez told the board that his agency follows all federal guidelines, procedures and laws. The primary point of discussion was the county asking for more definitive plans that Fish & Wildlife has for acquisition of land in Clay County. The land being taken off the tax roles by the Federal Government is a concern especially since there is so much owned by the government already in the MARC. The board asked for a comparison of the land acquired in Clay county to those of surrounding counties. Mr. Sanchez will forward that information. The board asked why F&W had to pump water on the wetlands if the idea is to



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restore them to their natural state because water was not pumped in these area in the past. Mr. Sanchez replied that there is nothing natural about the landscape any more with the amount of land that is being farmed and with a 90% reduction in the wetlands. The purpose of pumping in more than one area is to prevent a large concentration in one area that could promote disease among the birds. Mr. Sanchez was asked if F&W had ever thought about utilizing some of the land that the Federal Government already owns in the MARC. That is a different agency of the Federal Government with a different mission and so far that agency has not been interested in working with F&W. A time will be set in November to continue the coordination talks.

Anderson left at 11:05 A.M.

Loren Uden, Emergency Management Coordinator presented the 2012 Sub-Recipient Agreement and Special Conditions for signatures.

Motion by Johnson and seconded by Nuss to authorize the chairman to sign the 2012 Sub-Recipient Agreement and Special Conditions. On roll call, yea: Schmidt, Johnson, Nuss, Samuelson and Fintel; absent: Shaw and Anderson. Motion carried.

Ted Griess, County Attorney did not meet with the board.

The Sheriff's fee reports have been received. Motion by Samuelson and seconded by Schmidt to accept the fee reports for the Clay County Sheriff's office for the months of July in the amount of \$ 1,881.50 and August in the amount of \$4,681.36. On roll call, yea: Johnson, Nuss, Samuelson, Schmidt and Fintel; absent: Shaw and Anderson. Motion carried.

Motion by Samuelson and seconded by Nuss to adjourn this meeting at 11:45 A.M.; next meeting scheduled for September 25, 2012. On roll call, yea: Nuss, Samuelson, Schmidt, Johnson, and Fintel; absent: Shaw and Anderson. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman